



General Assembly

**Substitute Bill No. 832**

January Session, 2019



**AN ACT CONCERNING REGISTRIES OF PERSONS FOUND RESPONSIBLE FOR ASSAULTS OR OTHER ABUSE, NEGLECT, EXPLOITATION OR ABANDONMENT OF ELDERLY PERSONS OR PERSONS WITH DISABILITIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) For purposes of this section,  
2 sections 2 to 4, inclusive, of this act and sections 17a-247b, 17a-412, 17a-  
3 488a, 17b-452 and 19a-491c of the general statutes, as amended by this  
4 act, (1) "convicted" and "found not guilty by reason of mental disease  
5 or defect" have the same meaning as provided in section 54-280 of the  
6 general statutes, (2) "elderly person" means a person sixty years of age  
7 or older, (3) "persons with disabilities" has the same meaning as  
8 provided in section 17b-608 of the general statutes and includes  
9 persons with an intellectual disability, as defined in section 1-1g of the  
10 general statutes, (4) "certain crimes against elderly persons or persons  
11 with disabilities" means crimes prosecuted under section 53a-59a, 53a-  
12 60b, 53a-60c, 53a-61a, 53a-321, 53a-322 or 53a-323 of the general  
13 statutes, and (5) "registrant" means a person required to register  
14 pursuant to section 3 of this act.

15 Sec. 2. (NEW) (*Effective from passage*) (a) The Department of  
16 Emergency Services and Public Protection shall, not later than January  
17 1, 2020, establish and maintain a registry of all persons required to  
18 register under section 3 of this act as offenders convicted of certain  
19 crimes against elderly persons or persons with disabilities. The

20 department shall, in cooperation with the Office of the Chief Court  
21 Administrator, the Department of Correction and the Psychiatric  
22 Security Review Board, develop appropriate forms for use by agencies  
23 and individuals to report registration information, including changes  
24 of address. Upon receipt of registration information, the department  
25 shall enter the information into the registry and notify the local police  
26 department or state police troop having jurisdiction where the  
27 registrant resides or plans to reside.

28 (b) Upon receiving notification pursuant to section 3 of this act that  
29 a registrant has changed his or her address within the state, the  
30 Department of Emergency Services and Public Protection shall enter  
31 the information into the registry and notify the local police  
32 departments or state police troops having jurisdiction where the  
33 registrant previously resided and the jurisdiction where the registrant  
34 has relocated. The Commissioner of Emergency Services and Public  
35 Protection shall ensure that the name and residence address of each  
36 registrant is available through the Connecticut online law enforcement  
37 communication teleprocessing system maintained by the department.  
38 If a registrant reports a residence in another state, the department may  
39 notify the state police agency of that state or such other agency in that  
40 state that maintains registry information, if known.

41 (c) The Department of Emergency Services and Public Protection  
42 may suspend the registration of any person registered under section 3  
43 of this act while such person is incarcerated, under civil commitment  
44 or residing outside this state. During the period that such registration  
45 is under suspension, the department may withdraw the registration  
46 information from access to law enforcement agencies. Upon the release  
47 of the registrant from incarceration or civil commitment or resumption  
48 of residency in this state by the registrant, the department shall  
49 reinstate the registration and redistribute the registration information  
50 in accordance with subsection (b) of this section. Suspension of  
51 registration shall not affect the date of expiration of the registration  
52 obligation of the registrant under section 3 of this act.

53 (d) The Department of Emergency Services and Public Protection  
54 shall include in the registry the most recent photographic image of  
55 each registrant taken by the department, the Department of Correction,  
56 a law enforcement agency or the Court Support Services Division of  
57 the Judicial Department.

58 (e) Whenever the Commissioner of Emergency Services and Public  
59 Protection receives notice from a Superior Court pursuant to section  
60 52-11 of the general statutes or a Probate Court pursuant to section  
61 45a-99 of the general statutes that such court has ordered the change of  
62 name of a person, and the department determines that such person is  
63 listed in the registry, the department shall revise such person's  
64 registration information accordingly.

65 (f) The Commissioner of Emergency Services and Public Protection  
66 shall develop a protocol for the notification of other state agencies, the  
67 Judicial Department and local police departments whenever a person  
68 listed in the registry changes such person's name and notifies the  
69 commissioner of the new name pursuant to section 3 of this act or  
70 whenever the commissioner determines pursuant to subsection (e) of  
71 this section that a person listed in the registry has changed such  
72 person's name.

73 (g) The information in the registry shall not be a public record or file  
74 for the purposes of section 1-200 of the general statutes. Any  
75 information recorded or disclosed pursuant to this section or section 3  
76 or 4 of this act shall not be further disclosed unless such disclosure is  
77 permitted under this section or section 17a-247b, 17a-412, 17a-488a,  
78 17b-452 or 19a-491c of the general statutes, as amended by this act.

79 (h) Not later than two business days after entering the information  
80 of a new offender in the registry, the Commissioner of Emergency  
81 Services and Public Protection shall send the information to the  
82 Commissioner of Public Health for inclusion in a searchable data base  
83 established pursuant to section 19a-491c of the general statutes, as  
84 amended by this act, for persons seeking to hire individuals for

85 positions assisting elderly persons and persons with disabilities.

86       Sec. 3. (NEW) (*Effective from passage*) (a) (1) Any person who has  
87 been convicted or found not guilty by reason of mental disease or  
88 defect of certain crimes against elderly persons or persons with  
89 disabilities and is released into the community on or after January 1,  
90 2020, shall, within fourteen calendar days following such release or, if  
91 such person is in the custody of the Commissioner of Correction, at  
92 such time prior to release as the Commissioner of Correction shall  
93 direct, and whether or not such person's place of residence is in this  
94 state, register such person's name, identifying factors, criminal history  
95 record, residence address and electronic mail address with the  
96 Commissioner of Emergency Services and Public Protection, on such  
97 forms and in such locations as the Commissioner of Emergency  
98 Services and Public Protection shall direct, and shall maintain such  
99 registration for five years.

100       (2) Prior to accepting a plea of guilty or nolo contendere from a  
101 person with respect to certain crimes against elderly persons or  
102 persons with disabilities, the court shall (A) inform the person that the  
103 entry of a finding of guilty after acceptance of the plea will subject the  
104 person to the registration requirements of this section, and (B)  
105 determine that the person fully understands the consequences of the  
106 plea.

107       (3) If any person who is subject to registration under this section  
108 changes such person's name, such person shall, without undue delay,  
109 notify the Commissioner of Emergency Services and Public Protection  
110 in writing of the new name. If any person who is subject to registration  
111 under this section changes such person's address, such person shall,  
112 without undue delay, notify the Commissioner of Emergency Services  
113 and Public Protection in writing of the new address. During such  
114 period of registration, each registrant shall complete and return any  
115 forms mailed to such registrant to verify such registrant's residence  
116 address and shall submit to the retaking of a photographic image upon  
117 request of the Commissioner of Emergency Services and Public

118 Protection.

119 (b) Any person required to register under this section shall, not later  
120 than twenty calendar days after each anniversary date of such initial  
121 registration, until the date such registration requirement expires under  
122 subdivision (1) of subsection (a) of this section, personally appear at  
123 the local police department or state police troop having jurisdiction  
124 where the registrant resides to verify and update, as appropriate, the  
125 contents of his or her registration. The local police department or state  
126 police troop, as the case may be, may defer such requirement to  
127 personally appear to a later date for good cause shown. Not later than  
128 thirty calendar days prior to such anniversary date, the Department of  
129 Emergency Services and Public Protection shall mail written notice of  
130 the personal appearance requirement of this subsection to the  
131 registrant and the local police department or state police troop having  
132 jurisdiction where the registrant resides. Not later than thirty calendar  
133 days after the anniversary date of each registrant, the local police  
134 department or state police troop having jurisdiction where the  
135 registrant resides shall notify the Commissioner of Emergency Services  
136 and Public Protection, on such form as the commissioner may  
137 prescribe, (1) whether the registrant complied with the personal  
138 appearance requirement of this subsection or whether such personal  
139 appearance requirement was deferred to a later date for good cause  
140 shown, and (2) if the personal appearance requirement was deferred to  
141 a later date for good cause shown, the local police department or state  
142 police troop shall indicate the later date established for such personal  
143 appearance and describe the good cause shown.

144 (c) Any person who is subject to registration under this section who  
145 violates any provisions of subsection (a) or (b) of this section, except a  
146 violation consisting of failure to notify the Commissioner of  
147 Emergency Services and Public Protection of a change of name or  
148 address, shall be guilty of a class D felony. Any person who is subject  
149 to registration under this section who fails to notify the Commissioner  
150 of Emergency Services and Public Protection of a change of name or

151 address not later than five business days after such change of name or  
152 address shall be guilty of a class D felony.

153 Sec. 4. (NEW) (*Effective from passage*) (a) The registration information  
154 for each registrant required to register under section 3 of this act shall  
155 include:

156 (1) The offender's name, including any other name by which the  
157 offender has been legally known, and any aliases used by the offender;

158 (2) Identifying information, including a physical description of the  
159 offender;

160 (3) The current residence address of the offender;

161 (4) The date of conviction of the offense;

162 (5) A description of the offense; and

163 (6) If the offender was sentenced to a term of incarceration for such  
164 offense, a portion of which was not suspended, the date the offender  
165 was released from such incarceration.

166 (b) The offender shall sign and date the registration.

167 (c) At the time that the offender appears for the purpose of  
168 registering, the Department of Emergency Services and Public  
169 Protection shall photograph the offender and arrange for the  
170 fingerprinting of the offender and include such photograph and a  
171 complete set of fingerprints in the registry.

172 (d) The Department of Emergency Services and Public Protection  
173 may require the offender to provide documentation to verify the  
174 contents of his or her registration.

175 Sec. 5. Section 19a-491c of the general statutes is repealed and the  
176 following is substituted in lieu thereof (*Effective from passage*):

177 (a) As used in this section:

178 (1) "Criminal history and patient abuse background search" or  
179 "background search" means (A) a review of the registry of nurse's  
180 aides maintained by the Department of Public Health pursuant to  
181 section 20-102bb, (B) checks of state and national criminal history  
182 records conducted in accordance with section 29-17a, [and] (C) a  
183 review of the registry established in sections 2 to 4, inclusive, of this  
184 act, and (D) a review of information obtained from registries  
185 established pursuant to section 17a-247b, 17a-412, 17a-488a or 17b-452,  
186 as amended by this act, and any other registry specified by the  
187 Department of Public Health which the department deems necessary  
188 for the administration of a background search program.

189 (2) "Direct access" means physical access to a patient or resident of a  
190 long-term care facility that affords an individual with the opportunity  
191 to commit abuse or neglect against or misappropriate the property of a  
192 patient or resident.

193 (3) "Disqualifying offense" means a conviction of any crime  
194 described in 42 USC 1320a-7(a)(1), (2), (3) or (4), a conviction of certain  
195 crimes against elderly persons or persons with disabilities or a  
196 substantiated finding by a state or federal agency of neglect, abuse or  
197 misappropriation of property [by a state or federal agency] pursuant to  
198 an investigation conducted in accordance with 42 USC 1395i-3(g)(1)(C)  
199 or 42 USC 1396r(g)(1)(C).

200 (4) "Long-term care facility" means any facility, agency or provider  
201 that is a nursing home, as defined in section 19a-521, a residential care  
202 home, as defined in section 19a-521, a home health agency, as defined  
203 in section 19a-490, an assisted living services agency, as defined in  
204 section 19a-490, an intermediate care facility for individuals with  
205 intellectual disabilities, as defined in 42 USC 1396d(d), except any such  
206 facility operated by a Department of Developmental Services' program  
207 subject to background checks pursuant to section 17a-227a, a chronic  
208 disease hospital, as defined in section 19a-550, or an agency providing

209 hospice care which is licensed to provide such care by the Department  
210 of Public Health or certified to provide such care pursuant to 42 USC  
211 1395x.

212 (b) The Department of Public Health shall create and implement a  
213 criminal history and patient abuse background search program, within  
214 available appropriations, in order to facilitate the performance,  
215 processing and analysis of the criminal history and patient abuse  
216 background search of individuals who have direct access.

217 (c) (1) Except as provided in subdivision (2) of this subsection, each  
218 long-term care facility, prior to extending an offer of employment to, or  
219 entering into a contract for, the provision of long-term care services  
220 with any individual who will have direct access, or prior to allowing  
221 any individual to begin volunteering at such long-term care facility  
222 when the long-term care facility reasonably expects such volunteer will  
223 regularly perform duties that are substantially similar to those of an  
224 employee with direct access, shall require that such individual submit  
225 to a background search. The Department of Public Health shall  
226 prescribe the manner by which (A) long-term care facilities perform  
227 the review of (i) the registry of nurse's aides maintained by the  
228 department pursuant to section 20-102bb, and (ii) any other registry  
229 specified by the department, including requiring long-term care  
230 facilities to report the results of such review to the department, and (B)  
231 individuals submit to state and national criminal history records  
232 checks, including requiring the Department of Emergency Services and  
233 Public Protection to report the results of such checks to the Department  
234 of Public Health.

235 (2) [No] Except for individuals registered pursuant to sections 2 to 4,  
236 inclusive, of this act, no long-term care facility shall be required to  
237 comply with the provisions of this subsection if the individual  
238 provides evidence to the long-term care facility that such individual  
239 submitted to a background search conducted pursuant to subdivision  
240 (1) of this subsection not more than three years immediately preceding  
241 the date such individual applies for employment, seeks to enter into a

242 contract or begins volunteering with the long-term care facility and  
243 that the prior background search confirmed that the individual did not  
244 have a disqualifying offense.

245 (d) (1) The Department of Public Health shall review all reports  
246 provided to the department pursuant to [subsection (c)] subsections (c)  
247 and (h) of this section. If any such report contains evidence indicating  
248 that an individual has a disqualifying offense, the department shall  
249 provide notice to the individual and the long-term care facility  
250 indicating the disqualifying offense and providing the individual with  
251 the opportunity to file a request for a waiver pursuant to subdivisions  
252 (2) and (3) of this subsection.

253 (2) [An] Except for individuals registered pursuant to sections 2 to 4,  
254 inclusive, of this act, an individual may file a written request for a  
255 waiver with the department not later than thirty days after the date the  
256 department mails notice to the individual pursuant to subdivision (1)  
257 of this subsection. The department shall mail a written determination  
258 indicating whether the department shall grant a waiver pursuant to  
259 subdivision (3) of this subsection not later than fifteen business days  
260 after the department receives the written request from the individual,  
261 except that said time period shall not apply to any request for a waiver  
262 in which an individual challenges the accuracy of the information  
263 obtained from the background search.

264 (3) [The] Except for individuals registered pursuant to sections 2 to  
265 4, inclusive, of this act, the department may grant a waiver from the  
266 provisions of subsection (e) of this section to an individual who  
267 identifies mitigating circumstances surrounding the disqualifying  
268 offense, including (A) inaccuracy in the information obtained from the  
269 background search, (B) lack of a relationship between the disqualifying  
270 offense and the position for which the individual has applied, (C)  
271 evidence that the individual has pursued or achieved rehabilitation  
272 with regard to the disqualifying offense, or (D) that substantial time  
273 has elapsed since committing the disqualifying offense. The  
274 department and its employees shall be immune from liability, civil or

275 criminal, that might otherwise be incurred or imposed, for good faith  
276 conduct in granting waivers pursuant to this subdivision.

277 (4) After completing a review pursuant to subdivision (1) of this  
278 subsection, the department shall notify in writing the long-term care  
279 facility to which the individual has applied for employment or with  
280 which the individual seeks to enter into a contract or volunteer (A) of  
281 any disqualifying offense and any information the individual provided  
282 to the department regarding mitigating circumstances surrounding  
283 such offense, or of the lack of a disqualifying offense, and (B) whether  
284 the department granted a waiver pursuant to subdivision (3) of this  
285 subsection.

286 (e) Notwithstanding the provisions of section 46a-80, no long-term  
287 care facility shall employ an individual required to submit to a  
288 background search, contract with any such individual to provide long-  
289 term care services or allow such individual to volunteer if the long-  
290 term care facility receives notice from the department that the  
291 individual has a disqualifying offense in the individual's background  
292 search and the department has not granted a waiver pursuant to  
293 subdivision (3) of subsection (d) of this section. A long-term care  
294 facility may, but is not obligated to, employ, enter into a contract with  
295 or allow to volunteer an individual who was granted a waiver  
296 pursuant to said subdivision (3).

297 (f) (1) Except as provided in subdivision (2) of this subsection, a  
298 long-term care facility shall not employ, enter into a contract with or  
299 allow to volunteer any individual required to submit to a background  
300 search until the long-term care facility receives notice from the  
301 Department of Public Health pursuant to subdivision (4) of subsection  
302 (d) of this section.

303 (2) [A] Except for individuals registered pursuant to sections 2 to 4,  
304 inclusive, of this act, a long-term care facility may employ, enter into a  
305 contract with or allow to volunteer an individual required to submit to  
306 a background search on a conditional basis before the long-term care

307 facility receives notice from the department that such individual does  
308 not have a disqualifying offense, provided: (A) The employment or  
309 contractual or volunteer period on a conditional basis shall last not  
310 more than sixty days, except the sixty-day time period may be  
311 extended by the department to allow for the filing and consideration of  
312 a written request for a waiver of a disqualifying offense filed by an  
313 individual pursuant to subsection (d) of this section, (B) the long-term  
314 care facility has begun the review required under subsection (c) of this  
315 section and the individual has submitted to checks pursuant to  
316 subsection (c) of this section, (C) the individual is subject to direct, on-  
317 site supervision during the course of such conditional employment or  
318 contractual or volunteer period, and (D) the individual, in a signed  
319 statement (i) affirms that the individual has not committed a  
320 disqualifying offense, and (ii) acknowledges that a disqualifying  
321 offense reported in the background search required by subsection (c)  
322 of this section shall constitute good cause for termination and a long-  
323 term care facility may terminate the individual if a disqualifying  
324 offense is reported in said background search.

325 (g) [Records] Except as provided in subsection (i) of this section,  
326 records and information with respect to any individual that are  
327 obtained by the department pursuant to this section shall not be  
328 disclosed or subject to disclosure under section 1-210.

329 (h) On and after January 1, 2020, the Department of Public Health  
330 shall include in the background search program the names, ages, last-  
331 known addresses and information on the offenses of persons who have  
332 registered with the Commissioner of Emergency Services and Public  
333 Protection pursuant to sections 2 to 4, inclusive, of this act, the names,  
334 ages, last-known addresses and information on the offenses of any  
335 nurse's aide with a finding of improper conduct listed on the nurse's  
336 aide registry pursuant to section 20-102cc and information obtained  
337 from registries established pursuant to sections 17a-247b, 17a-412, 17a-  
338 488a and 17b-452, as amended by this act. Except for persons  
339 registered pursuant to sections 2 to 4, inclusive, of this act, the

340 department may grant a waiver to any person pursuant to  
341 subdivisions (2) and (3) of subsection (d) of this section.

342 (i) On and after February 1, 2020, the Department of Public Health  
343 shall include on the department's Internet web site a link to the  
344 background search program that allows the public to search the  
345 program by name of an individual. The listing will show an  
346 individual's age, last known address, convictions or other disciplinary  
347 actions taken and a general description of a substantiated case of  
348 abuse, neglect, exploitation or abandonment.

349 [(h)] (j) The department shall adopt regulations, in accordance with  
350 the provisions of chapter 54, to implement the provisions of this  
351 section, including, but not limited to, the amount of time per offense a  
352 person's name shall remain on the publicly accessible background  
353 search program on the department's Internet web site. The department  
354 may implement policies and procedures consistent with the provisions  
355 of this section while in the process of adopting such policies and  
356 procedures as regulation, provided notice of intention to adopt  
357 regulations is [printed in the Connecticut Law Journal] published on  
358 the eRegulations System not later than twenty days after the date of  
359 implementation. Such policies and procedures shall be valid until the  
360 time final regulations are effective.

361 Sec. 6. Section 17a-247b of the general statutes is repealed and the  
362 following is substituted in lieu thereof (*Effective from passage*):

363 (a) The Department of Developmental Services shall establish and  
364 maintain a registry of former employees who have been terminated or  
365 separated from employment as a result of substantiated abuse or  
366 neglect. The department shall, for the purposes of maintaining the  
367 registry, be capable of responding to inquiries in accordance with  
368 subsection (c) of this section as to whether a former employee has been  
369 terminated or separated from employment as a result of substantiated  
370 abuse or neglect. Such capability may include response by telephone  
371 voice mail or other automated response for initial inquiries.

372 (b) The registry shall include, but not be limited to, the following: (1)  
373 The names, addresses and Social Security numbers of those former  
374 employees terminated or separated from employment as a result of  
375 substantiated abuse or neglect; (2) the date of termination or  
376 separation; (3) the type of abuse or neglect; and (4) the name of any  
377 employer or authorized agency requesting information from the  
378 registry, the reason for the request and the date of the request.

379 (c) [The] Except as provided in subsection (h) of this section, the  
380 department shall make information in the registry available only to: (1)  
381 Authorized agencies, for the purpose of protective service  
382 determinations; (2) employers who employ employees to provide  
383 services to an individual who receives services or funding from the  
384 department; (3) the Departments of Children and Families, Mental  
385 Health and Addiction Services, and Social Services, for the purpose of  
386 determining whether an applicant for employment appears on the  
387 registry; or (4) charitable organizations that recruit volunteers to  
388 support programs for persons with intellectual disability or autism  
389 spectrum disorder, upon application to and approval by the  
390 commissioner, for purposes of conducting background checks on such  
391 volunteers.

392 (d) [The] Except as provided in subsection (h) of this section, the  
393 department shall limit responses to requests for identifying  
394 information from the registry established under this section to (1)  
395 identification of the former employee terminated or separated from  
396 employment for substantiated abuse or neglect, and (2) the type of  
397 abuse or neglect so substantiated.

398 (e) Not later than five business days following receipt of written  
399 notification by an authorized agency of the substantiation of abuse or  
400 neglect by a former employee who has been terminated or separated  
401 from employment for such abuse or neglect, an employer shall submit  
402 to the department the name of such former employee and such other  
403 information as the department may request. Upon receipt of  
404 notification of such termination or separation, the department shall

405 conduct a hearing in accordance with sections 4-177 to 4-181a,  
406 inclusive, governing contested cases. The department shall not place a  
407 former employee's name on the registry until the department has  
408 completed the hearing and the hearing has resulted in a decision to  
409 place the former employee's name on the registry. The former  
410 employee shall be informed before such hearing that his or her name  
411 will be forwarded to the Department of Public Health pursuant to  
412 subsection (h) of this section if the hearing results in a decision to place  
413 his or her name on the registry established pursuant to this section.

414 (f) The department shall remove a former employee's name from the  
415 registry if an arbitration or a legal proceeding results in a finding that  
416 the former employee was unfairly terminated from employment. Upon  
417 removal of such former employee's name from the registry, the  
418 department shall inform the Department of Public Health that such  
419 former employee's identifying information should be removed from  
420 the background search program established pursuant to section 19a-  
421 491c, as amended by this act.

422 (g) No employer shall be liable in any civil action for damages  
423 brought by an employee, former employee or an applicant for  
424 employment whose name appears on the registry established by this  
425 section arising out of the conduct of the employer in (1) making any  
426 report in good faith pursuant to subsection (e) of this section, (2)  
427 testifying under oath in any administrative or judicial proceeding  
428 arising from such report, (3) refusing to hire or to retain any person  
429 whose name appears on the registry established under this section, or  
430 (4) taking any other action to conform to the requirements of this  
431 section. The immunity provided in this subsection shall not apply to  
432 gross negligence or to wilful or wanton misconduct.

433 (h) Notwithstanding subsections (c) and (d) of this section, on and  
434 after December 1, 2019, the department shall forward to the  
435 Department of Public Health (1) the names, ages and last-known  
436 addresses of the former employees on the registry who were  
437 terminated or separated from employment for substantiated abuse or

438 neglect and a general description of the offense for inclusion in the  
439 background search program established pursuant to section 19a-491c,  
440 as amended by this act, and (2) if known, (A) whether such former  
441 employees were convicted of certain crimes against elderly persons or  
442 persons with disabilities or other crimes as a result of a substantiated  
443 case of abuse or neglect, (B) the crimes such persons were convicted of,  
444 and (C) a general description of the offense.

445 Sec. 7. Section 17a-412 of the general statutes is amended by adding  
446 subsection (i) as follows (*Effective from passage*):

447 (NEW) (i) Notwithstanding subsections (d) and (g) of this section,  
448 on and after December 1, 2019, the Department of Social Services shall  
449 forward to the Department of Public Health the following information  
450 for inclusion in the background search program established pursuant  
451 to section 19a-491c, as amended by this act:

452 (1) (A) If known, the names, ages and last-known addresses of  
453 persons convicted of certain crimes against elderly persons or persons  
454 with disabilities, or any other crime, as a result of an investigation  
455 pursuant to this section that substantiated allegations of abuse, neglect,  
456 exploitation or abandonment, (B) the crimes such persons were  
457 convicted of, and (C) a general description of the offense; and

458 (2) (A) The names, ages and last-known addresses of any caregiver  
459 or other employee who has been terminated or separated from  
460 employment as a result of an investigation pursuant to this section that  
461 substantiated allegations of abuse, neglect, exploitation or  
462 abandonment, and (B) a general description of the allegations,  
463 provided such former caregiver or employee shall have the right to an  
464 administrative hearing in accordance with chapter 54 to contest  
465 inclusion in the background search system before the Department of  
466 Social Services forwards such information to the Department of Public  
467 Health.

468 Sec. 8. Section 17a-488a of the general statutes is amended by adding

469 subsection (f) as follows (*Effective from passage*):

470 (NEW) (f) Notwithstanding subsections (a) and (c) of this section, on  
471 and after December 1, 2019, the Commissioner of Mental Health and  
472 Addiction Services shall forward to the Department of Public Health  
473 the following information for inclusion in the background search  
474 program established pursuant to section 19a-491c, as amended by this  
475 act:

476 (1) (A) If known, the names, ages and last-known addresses of  
477 persons convicted of certain crimes against elderly persons or persons  
478 with disabilities, or any other crime, as a result of an investigation that  
479 substantiated allegations of abuse, (B) the crimes such persons were  
480 convicted of, and (C) a general description of the offense; and

481 (2) (A) The names, ages and last-known addresses of any caregiver  
482 or other employee who has been terminated or separated from  
483 employment as a result of an investigation pursuant to this section that  
484 substantiated allegations of abuse, and (B) a general description of the  
485 allegations, provided such former caregiver or employee shall have the  
486 right to an administrative hearing in accordance with chapter 54 to  
487 contest inclusion in the background search system before the  
488 commissioner forwards such information to the Department of Public  
489 Health.

490 Sec. 9. Section 17b-452 of the general statutes is amended by adding  
491 subsection (g) as follows (*Effective from passage*):

492 (NEW) (g) Notwithstanding the provisions of subsections (a), (c)  
493 and (d) of this section, on and after December 1, 2019, the Department  
494 of Social Services shall forward to the Department of Public Health the  
495 following information for inclusion in the background search program  
496 established pursuant to section 19a-491c, as amended by this act:

497 (1) (A) If known, the names, ages and last-known addresses of  
498 persons convicted of certain crimes against elderly persons or persons  
499 with disabilities, or any other crime, as a result of an investigation that

500 substantiated allegations of abuse, neglect, exploitation or  
 501 abandonment, (B) the crimes such persons were convicted of, and (C) a  
 502 general description of the offense; and

503 (2) (A) The names, ages and last-known addresses of any caregiver  
 504 or other employee who has been terminated or separated from  
 505 employment as a result of an investigation pursuant to this section that  
 506 substantiated allegations of abuse, neglect, exploitation or  
 507 abandonment, and (B) a general description of the allegations,  
 508 provided such former caregiver or employee shall have the right to an  
 509 administrative hearing in accordance with chapter 54 to contest  
 510 inclusion in the background search program before the Department of  
 511 Social Services forwards such information to the Department of Public  
 512 Health.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	19a-491c
Sec. 6	<i>from passage</i>	17a-247b
Sec. 7	<i>from passage</i>	17a-412
Sec. 8	<i>from passage</i>	17a-488a
Sec. 9	<i>from passage</i>	17b-452

**Statement of Legislative Commissioners:**

In Section 1, "17a-488a and 17b-452" was changed to "17a-488a, 17b-452 and 19a-491c" for accuracy, "intellectual disabilities" was changed to "an intellectual disability" for consistency with other provisions of the general statutes, "and" was added before Subdiv. (5), the comma after "section 3 of this act" was changed to a period and Subdiv. (6) was deleted for accuracy; in Section 2(g), "sections 3 and 4 of this act" was deleted for accuracy and "17a-412, 17a-247b" was changed to "17a-247b, 17a-412" for consistency with other provisions of the section.

**AGE**      *Joint Favorable Subst. -LCO*